



## U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
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New York, New York 10007

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**BY ECF AND EMAIL**

Hon. Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: *United States v. Solomon Aluko*, 15 Cr. 537 (VEC)  
*United States v. Joseph Jeffries*, 15 Cr. 537 (VEC)**

Dear Judge Caproni:

The Government writes, with concurrence of counsel for defendants Solomon Aluko (James Branden Esq.) and Joseph Jeffries (Bennett Epstein Esq.), to update the Court regarding the status of the Government's discussions with these defendants to resolve their motions for resentencing in light of the Supreme Court's recent decision in *United States v. Davis*, 2019 WL 2570623 (U.S. Jun. 24, 2019). Since the Government's last status update letter to the Court concerning Aluko and Jeffries, the Government has extended plea offers to Aluko and Jeffries through their respective counsel under which the Government and them would agree to the vacatur of their convictions under Title 18, United States Code, Section 924(c) insofar as those convictions have been rendered subject to invalidation by *Davis*, and both of them would plead guilty to other criminal charges covering their offense conduct in this case and be resentenced by this Court.

Counsel for Aluko and Jeffries have indicated that they and their clients need additional time to consider and discuss these plea proposals. With respect to Aluko, who has been transferred at the request of the Government from the federal prison where he had been serving his original sentence in this case to the Metropolitan Detention Center in Brooklyn ("MDC") to facilitate any proceedings on his *Davis*-related motion, Aluko and his counsel have met in person to discuss the Government's plea offer to Aluko but need to have at least one additional in-person meeting on the topic (that is expected to occur this weekend) before Aluko reaches a decision on how to proceed. With respect to Jeffries, the Government requested that he be transferred from the federal prison where he had been serving his original sentence in this case to a federal jail in or near the Southern District of New York to facilitate any proceedings on his *Davis*-related motion, but his transfer has been delayed by a medical hold because of medical ailments that Jeffries has been suffering in prison. Although Jeffries and his counsel have corresponded remotely about the Government's plea offer, they are waiting for Jeffries arrival at a nearby jail — which is currently estimated to occur in late November 2019 — to discuss the offer in person.

To give Aluko and Jeffries sufficient time to consult their respective counsel regarding the plea offers that have been extended to them to resolve the issues raised by their pending *Davis*-

motions, the parties respectfully request leave to file a further status report on or before December 13, 2019.

Respectfully submitted,

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Cc: All counsel of record (via ECF)

Application GRANTED.

SO ORDERED.

Date: 11/08/2019



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE